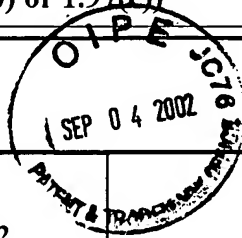


**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT****(Under 37 CFR 1.97(b) or 1.97(c))**Docket No.  
85658-0001In Re Application Of: **Bevely ROBERTS**Serial No.  
10/035,166Filing Date  
January 4, 2002Examiner  
UnknownGroup Art Unit  
3761**Title: APPARATUS FOR DELIVERING INHALANT AND MONITORING EXHALED FLUID, METHOD OF MAKING SAME, AND METHOD OF DELIVERING INHALANT AND MONITORING EXHALED FLUID**

Address to:

**Assistant Commissioner for Patents  
Washington, D.C. 20231****37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
- ☐ the statement specified in 37 CFR 1.97(e);
- OR**
- ☐ the fee set forth in 37 CFR 1.17(p).

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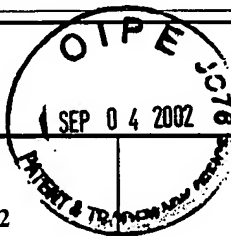
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**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
85658-0001

In Re Application: **Bevely ROBERTS**



Serial No.  
10/035,166

Filing Date  
January 4, 2002

Examiner  
Unknown

Group Art Unit  
3761

**APPARATUS FOR DELIVERING INHALANT AND MONITORING EXHALED FLUID, METHOD  
MAKING SAME, AND METHOD OF DELIVERING INHALANT AND MONITORING EXHALED**

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☐ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. \_\_\_\_\_ as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_
- ☐ Credit any overpayment.
- ☐ Charge any additional fee required.

**Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (F

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Signature

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Typed or Printed Name of Person Signing Certificate

**Certificate of Mailing by First Class Mail**

I certify that this document and fee is being deposited \_\_\_\_\_ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

\_\_\_\_\_  
Signature of Person Mailing Correspondence

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Typed or Printed Name of Person Mailing Certificate

\*This certificate may only be used if paying by deposit account.

  
Signature

Dated: September 4, 2002

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CC:



L. Parks  
9-20-02  
#3/ID5  
PATENT

ATTORNEY DOCKET NO.: 085658-0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Bevely ROBERTS

Application No.: 10/035,166

Filing Date: January 4, 2002

For: APPARATUS FOR DELIVERING INHALANT  
AND MONITORING EXHALED FLUID,  
METHOD OF MAKING SAME, AND METHOD  
OF DELIVERING INHALANT AND  
MONITORING EXHALED FLUID

Group Art Unit: 3611

Examiner: Unassigned

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**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed before mailing of a first Office Action on the merits.

A copy of each listed document is provided.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If it should be determined that the listed documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

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If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 04-2223.

Respectfully submitted,

**DYKEMA GOSSETT PLLC**

Dated: September 5, 2002

By: 

Adesh Bhargava  
Reg. No. 46,553

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